



PATENT
Docket No. 273012011100

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC TUMORS, the specification of which is attached hereto unless the following box is checked:

☒ was filed on April 21, 2000 as United States Application Serial No. _____ and was amended on _____ (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/130,519	04/23/99

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Sanjay S. Bagade (Reg No. 42,280)	Erwin J. Basinski (Reg No. 34,773)
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and:

Please direct all communications to:

Kawai Lau
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888

Please direct all telephone calls to Kawai Lau at (202) 887-6939.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MAY 10, 2000

Date

Mark Curry

Name: Patrick Mark Curry

Residence: Vancouver, BC V5V 1R7 CANADA

Citizenship: Canadian

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May 11, 2000

Date

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May 15, 2000

Date

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May 9/2000

Date

David Hunt

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Citizenship: Canadian

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Applicant/Patentee: Patrick Mark CURRY et al.

Serial No.: 09/556,833

Filed on: April 21, 2000

For: IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC TUMORS

Docket No.: 27301-20111.00

SEP-08 2000

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§ 1.9(f) AND 1.27(c) — SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: QLT, INC.

ADDRESS OF CONCERN: 887 Great Northern Way, Vancouver, British Columbia, V5T 4T5 Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC TUMORS, by inventor(s) Patrick Mark CURRY, Anna M. RICHTER, Julia G. LEVY, and David W.C. HUNT described in:

- ☐ the specification filed herewith.
☒ application serial No. 09/556,833 filed April 21, 2000.
☐ patent no. , issued

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
THE UNIVERSITY OF BRITISH COLUMBIA	2194 Health Sciences Mall, Vancouver, British Columbia, V6T 1Z3 Canada	<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input checked="" type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

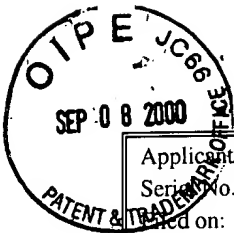
NAME OF PERSON SIGNING: Jennifer Kaufman-Shaw

TITLE OF PERSON IF OTHER THAN OWNER: Director, Intellectual Property

ADDRESS OF PERSON SIGNING: c/o 887 Great Northern Way, Vancouver, B.C., Canada V5T 4T5

SIGNATURE: Jennifer Kaufman-Shaw

DATE: 22 August 2000



Applicant/Patentee: Patrick Mark CURRY, et al.

Docket No.: 27301-20111.00

Serial No.: 09/556,833

Filed on: April 21, 2000

For: IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC TUMORS

**VERIFIED STATEMENT CLAIMING SMALL ENTITY
STATUS 37 C.F.R. § 1.9(f) AND § 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the non-profit organization identified below:

Name of nonprofit organization: The University of British Columbia

Address of nonprofit organization: 2194 Health Sciences Mall, Vancouver, British Columbia, Canada V6T 1Z3

Type of nonprofit organization:

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under a statute of a state of the United States of America

Name of state:

Citation of statute:

- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America
☐ Would qualify as nonprofit scientific or educational organization under a statute of a state of the United States of America if located in the United States of America

Name of state:

Citation of statute:

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC TUMORS, by inventor(s) Patrick Mark CURRY, et al., described in:

- ☐ the specification filed herewith.
☒ application serial No. 09/556,833 filed April 21, 2000.
☐ patent no. , issued

I hereby declare that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements answering to their status as small entities and that no rights to the invention are held by any person other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a non-profit organization under 37 § 1.9(e).

Each additional person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☒ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
QLT Inc.	887 Great Northern Way, Vancouver, British Columbia, Canada V5T 4T5	<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

TITLE IN ORGANIZATION OF PERSON SIGNING:

ADDRESS OF PERSON SIGNING:

SIGNATURE: 

DATE: Aug 16, 2000

PTO/SB/11 (10-92)
sd-9316

CAROLINE BRUCE, Director

University-Industry Liaison

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